

Translation

PATENT COOPERATION TREATY

PCT/JP2003/007840



PCT

518452

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 663882	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/007840	International filing date (day/month/year) 20 June 2003 (20.06.2003)	Priority date (day/month/year) 20 June 2002 (20.06.2002)
International Patent Classification (IPC) or national classification and IPC C09D 11/00, B41J 2/01, B41M 5/00		
Applicant HITACHI MAXELL, LTD.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☒ Box No. VIII Certain observations on the international application

Date of submission of the demand 20 January 2004 (20.01.2004)	Date of completion of this report 04 October 2004 (04.10.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/007840

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages \_\_\_\_\_ 1-14 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- pages \_\_\_\_\_ 2-5 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19
- pages\* \_\_\_\_\_ 1, 8-12 \_\_\_\_\_ received by this Authority on \_\_\_\_\_ 09 July 2004 (09.07.2004)
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the drawings:
- pages \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☒ the claims, Nos. \_\_\_\_\_ 6, 7 \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

**BEST AVAILABLE CC**

**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

**1. Statement**

Novelty (N)	Claims	1-5, 8-12	YES
	Claims		NO
Inventive step (IS)	Claims	1-5, 8-12	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5, 8-12	YES
	Claims		NO

**2. Citations and explanations (Rule 70.7)**

The subject matters of claims 1-5 and 8-12 are neither described in any of the documents cited in the ISR nor obvious to a person skilled in the art.

Therefore, the subject matters of claims 1-5 and 8-12 appear to be novel and to involve an inventive step.

**BEST AVAILABLE COPY**

**Box No. VIII Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

[What is covered by the international preliminary examination among claims 1-5 and 8-12]

The "resins having acid groups" that are particularly supported in the specification are only the resins obtained by copolymerizing (meth)acrylic acid as a monomer, a monomer having a hydrophobic group and a polyether-based monomer, and the other resins having acid groups are not particularly disclosed, and hence are not supported at all.

Therefore, it is not considered that the pigment ink compositions containing any "resin having acid groups" other than those particularly disclosed are sufficiently supported in the specification, and no significant opinion can be presented on them.

So, the international preliminary examination covers only the pigment ink compositions containing any of the resins obtained by copolymerizing (meth)acrylic acid as a monomer, a monomer having a hydrophobic group and a polyether-based monomer, as the "resin having acid groups."

**BEST AVAILABLE COPY**